

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

FILED IN OPEN COURT
ON 10/16/2013 Me
Julie A. Richards, Clerk
US District Court
Eastern District of NC

CASE NO. 4:13-mj-1065

UNITED STATES OF AMERICA)

v.)


Andre Godette)

DEFENDANT'S
MOTION TO CONTINUE
(18 USC § 3161(h)(8))

Pursuant to 18 USC § 3161(h)(7) and to Local Rule 4.11, the Defendant respectfully requests that the above-captioned case be continued from the present docket. In support of this motion, the Defendant sets forth the following:

1. Defendant requires additional time to discuss case with appointed counsel.
2. This is the 1st continuance filed by the Defendant in the present case. The Special Assistant United States Attorney does / does not object to this motion.
3. I understand that if this motion is granted, I must next appear in court at 9:00 a.m. on the December 11, 2013 Court docket, and that failure to appear may result in the issuance of an arrest warrant.

Submitted on: October 16, 2013


Defendant or Attorney for Defendant

The Court finds that the ends of justice served by the granting of such a continuance outweigh the best interest of the public in a speedy trial for the following reasons:

- ☐ Failure to do so would likely result in a **miscarriage of justice**.
- ☐ The **usual nature or complexity of the case** makes it unreasonable to expect the Defendant to adequately prepare for pretrial proceedings or trial with the time limits set forth in 18 USC 3161.
- ☒ Failure to do so would deny the Defendant reasonable **time to obtain counsel**;
- ☐ Failure to do so would unreasonably deny the Defendant **continuity of counsel**;
- ☒ Failure to do so would deny the Defendant the reasonable **time necessary for effective preparation**, taking into account the exercise of due diligence.

Accordingly the continuance is ALLOWED. The intervening time from 12/16/13 to 12/11/13 Is excluded from speedy trial computation under 18 USC 3161.

October 16, 2013
Date


United States Magistrate Judge